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EXAMINER	
WEST, JEFFREY R	

ART UNIT	PAPER NUMBER
2857	

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/648,341	TAHARA ET AL.	
	Examiner	Art Unit	
	Jeffrey R. West	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-11 and 13-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-11 and 13-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 August 2003* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☒ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawing in Figure 2 is objected to because it does not have sufficiently descriptive labels. Blank boxes in drawings should be labeled descriptively unless it is a well-known component.

2. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claims 1, 11, and 18 are objected to because of the following informalities:

In claim 1, line 2, to avoid problems of antecedent basis, "the system" should be ---the part maintenance system---.

In claim 1, line 34, to avoid problems of antecedent basis, "limit value" should be ---limit value of operation time---.

In claim 11, line 25, to avoid problems of antecedent basis, "limit value which is previously set by" should be ---limit value of operation time which is previously set via---.

In claim 18, line 4, "time passage" should be ---time-passage---.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 7, 8, 17, and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7 is considered to be vague and indefinite because line 13 recites "in accordance with a result of said judgment". Parent claim 1, defines "a judgment of an operation state of said part" based on a comparison between "said actual operation time or the number of actual operations and said predetermined allowable limit value". Claim 7, however, defines "a judgment

of the operation state of said part" based on a comparison between "the actual operation time of said part and the allowable limit value of the normal operation time". It is therefore unclear to one having ordinary skill in the art as to whether "said judgment" refers to the judgment defined in claim 1 or the judgment defined in claim 7.

Claim 8 is considered to be vague and indefinite because line 13 recites "in accordance with a result of said judgment". Parent claim 1, defines "a judgment of an operation state of said part" based on a comparison between "said actual operation time or the number of actual operations and said predetermined allowable limit value". Claim 8, however, defines "a judgment of the operation state" based on a comparison between "the time-passage change of the actual operation of said part and the allowable limit of the time-passage change of the normal operation". It is therefore unclear to one having ordinary skill in the art as to whether "said judgment" refers to the judgment defined in claim 1 or the judgment defined in claim 8.

Claim 17 is considered to be vague and indefinite because lines 11-12 recite "in accordance with a result of said judgment". Parent claim 11, defines "a judgment of an operation state of said part" based on a comparison between "said actual operation time or the number of actual operations and said predetermined allowable limit value". Claim 17, however, defines "a judgment of the operation state of said part" based on a comparison between "the actual operation time of said part and the allowable limit value of the normal operation time". It is therefore unclear to one having ordinary skill in

the art as to whether "said judgment" refers to the judgment defined in claim 11 or the judgment defined in claim 17.

Claim 18 is considered to be vague and indefinite because lines 11-12 recite "in accordance with a result of said judgment". Parent claim 11, defines "a judgment of an operation state of said part" based on a comparison between "said actual operation time or the number of actual operations and said predetermined allowable limit value". Claim 18, however, defines "a judgment of the operation state of said part" based on a comparison between "the time-passage change of the actual operation of said part and the allowable limit of the time-passage change of the normal operation". It is therefore unclear to one having ordinary skill in the art as to whether "said judgment" refers to the judgment defined in claim 11 or the judgment defined in claim 18.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 1, 7-11, 17, and 18, as may best be understood, are rejected

under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0032109 to Gonyea et al. in view of U.S. Patent No. 6,608,666 to Deguchi et al.

Gonyea discloses a part maintenance system comprising a factory-side system having at least one processing system (0013, lines 1-9), a preset means which stores a predetermined allowable limit value of operation time or a predetermined number of operations of a part of said processing system (0020, lines 1-5), a measuring means which measures actual operation time or the number of actual operations of said part (0021, lines 10-13), and a maintenance judging means which compares said actual operation time or the number of actual operations and said predetermined allowable limit value with each other to judge an operation state of said part (0005, lines 14-21), wherein said factory-side system comprises a factory-side sending/receiving means (0015, lines 5-7 and 0017, lines 7) which sends an order processing request of said part to a vendor in accordance with a result of said judgment (0005, lines 14-21 and 0055, lines 1-13) wherein the vendor comprises an order processing means which carries out an order processing of a part when said vendor-side sending/receiving means receives an order processing request of that part from said factory-side system (0056, lines 1-11).

Gonyea also discloses said factory-side system stores at least two stage limit value levels as said allowable limit value which is previously set by said preset means (0050, lines 1-2), and when said actual operation time or the number of actual operations reaches a first limit value level, said factory-side

system carries out an order processing request that the part needs to be replaced (0050, lines 15-21) and when said maintenance judging means judges that said actual operation time or the number of actual operations reaches a second limit value level, said factory-side sending/receiving means sends a notice processing indicating the need for repairing said part (0050, lines 2-15),

Gonyea also discloses that the factory-side system estimates the time when the level reaches the second stage limit value level and if said factory-side system judges that the part can be made available by that time and a periodic maintenance of said semiconductor processing system is scheduled by that time, maintenance schedule information for inputting the exchange of the part into a periodic maintenance schedule is input into the next periodic maintenance schedule and updates said periodic maintenance schedule (0027, lines 29-37).

With respect to claims 7 and 8, Gonyea discloses that the preset means of said factory-side system stores normal operation time and its allowable limit value for comparison, in order to perform estimation, (0021, lines 13-16) or cumulative time-passage change and its allowable limit value for comparison (0027, lines 9-11).

As noted above, the invention of Gonyea teaches many of the features of the claimed invention and while the invention of Gonyea does teach a wide variety of processing systems as well as communication to and from a vendor, Gonyea does not specifically indicate that the system be a

semiconductor processing system and that the vendor be part of a vendor-side system operated by an administrator who manages the maintenance of said semiconductor processing system comprising a vendor-side sending/receiving means which sends and receives information to and from said factory-side system through a network.

Deguchi teaches a semiconductor device manufacturing factory (column 1, lines 11-15) comprising a factory-side system (column 6, lines 10-45) and a vendor-side system operated by an administrator who manages the maintenance of said semiconductor processing system (column 6, lines 18-21) wherein the factory-side system and vendor-side systems each contain corresponding servers and sending/receiving means (column 6, lines 30-39 and 45-54) that send and receive information between each other through a bidirectional network (column 6, lines 54-65). Deguchi also teaches that the vendor-side system receives information from the factory-side system and uses such information to perform maintenance processing (column 6, lines 54-65).

It would have been obvious to one having ordinary skill in the art to modify the invention of Gonyea to specifically indicate that the system be a semiconductor processing system and that the vendor be part of a vendor-side system comprising a vendor-side sending/receiving means which sends and receives information to and from said factory-side system through a network, as taught by Deguchi, because the combination would have allowed greater utility in the invention of Gonyea by providing application to a wider

variety of environments and, as suggested by Deguchi, provided a corresponding means for communicating with the vendor of Gonyea with improved accessibility by allowing access to the vendor remotely (column 7, lines 10-22) while allowing remote monitoring to provide rapid problem correction (column 7, lines 46-52).

Further, it has been held that a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim (See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963)). In the instant case, the structure of Gonyea is capable of performing the monitoring of any of a plurality of processing systems including a semiconductor processing system, and therefore meets the claimed limitation.

Also, since Gonyea teaches that the factory-side performs the maintenance scheduling operation rather than the vendor-side and Deguchi teaches remote maintenance by the vendor-side, the combination would have performed the maintenance scheduling operation of Gonyea at the vendor-side.

Further still, with respect to claims 9 and 10, the invention of Gonyea and Deguchi teaches the use of servers in both the factory and vendor sides and since it has been held that forming in one piece an article which was formerly been formed in two pieces and put together involves only routine skill in the

art (See Howard v. Detroit Stove Works, 150 U.S. 164 (1893)), it would have been obvious to one having ordinary skill in the art to combine the plurality of processing means into the servers to reduce the number of components required, thereby increasing efficiency.

8. Claims 3, 4, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gonyea et al. in view of Deguchi and further in view of U.S. Patent No. 6,947,161 to Suyehira.

As noted above, the invention of Gonyea and Deguchi teaches many of the features of the claimed invention including teaching that the vendor-side system determines when a time period reaches the second stage limit and if a replacement part is available at said time period and a periodic maintenance of said semiconductor processing system is scheduled by that time period, maintenance schedule information for inputting the exchange of the part into a next periodic maintenance schedule is input into the periodic maintenance schedule and updates said periodic maintenance schedule (Gonyea; 0027, lines 29-37). The combination, however, does not specifically use an estimation of the time period required to reach the second stage limit and while the combination does determine whether or not a replacement part is available (Gonyea; 0055, line 1 to 0056, line 11), the combination does not explicitly provide a provision for when the replacement part cannot be available by the time period.

Suyehira teaches systems and methods for automatic status tracking of automatically ordered replacement components for printing devices, or other devices relating to other technologies (column 3, lines 41-51), comprising communication between a client-side and vendor-side over a network (column 4, lines 37-56) for ordering a replacement part (column 5, lines 8-17) wherein an estimation is made of the time period required to reach a time limit value (column 7, lines 8-15). Suyehira further teaches that if the system judges that the replacement part cannot be made available by said time period required to reach the time limit, the system judges that a different maintenance event can be performed (column 3, lines 4-10 and column 7, lines 50-56).

It would have been obvious to one having ordinary skill in the art to modify the invention of Gonyea and Deguchi to use an estimation of the time period required to reach the second stage limit and provide a provision for when the replacement part cannot be available by the time period, as taught by Suyehira, because the combination of Gonyea and Deguchi does set a replacement limit requiring a maintenance event that occurs prior to the actual expiration of the part being maintained in order to avoid such expiration (Gonyea; 0027, lines 27-37) and the combination, as suggested by Suyehira, would have provided a means for determining the time until actual part expiration for use in determining whether or not the replacement part will arrive before the expiration. Therefore, the combination would provide the user with sufficient time to take corresponding action, such as maintenance,

to continue to prevent part expiration (column 3, lines 4-10 and column 7, lines 50-56).

9. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gonyea et al. in view of Deguchi and further in view of U.S. Patent No. 4,404,641 to Bazarnik.

As noted above, the invention of Gonyea and Deguchi teaches many of the features of the claimed invention, and while the invention of Gonyea and Deguchi does teach a factory-side system that determine a cumulative operation time of a part for comparison with a two stage limit, the combination does not specifically indicate that the cumulative operation time is determined by a counter for the part.

Bazarnik teaches a maintenance monitor that automatically advises that maintenance of a device should be undertaken (column 1, lines 5-8) including a counter corresponding to a specific part (column 1, lines 66-68) wherein the counter accumulates operation time for comparison to a two stage limit (column 2, lines 3-9).

It would have been obvious to one having ordinary skill in the art to modify the invention of Gonyea and Deguchi to specifically indicate that the cumulative operation time is determined by a counter for the part, as taught by Bazarnik, because Bazarnik suggests a well-known means for accumulating time that would be required to determine the accumulated time in the invention of Gonyea and Deguchi as well as reduce the occurrence of

machine damage by disabling the machine when the maintenance must be performed (column 1, lines 54-61 and column 2, lines 3-9).

10. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gonyea et al. in view of Deguchi and Bazarnik and further in view of JP Patent Application Publication No. 2000-012412 to Makitani.

As noted above, Gonyea in combination with Deguchi and Bazarnik teaches many of the features of the claimed invention including a measuring means for measuring the actual operation time of a part by a counter corresponding to said part, but does not specifically indicate that the operation time be that of a driving means that drives said part.

Makitani teaches a method and device for monitoring performance of a semiconductor producing device including means for monitoring the operating time or number of operations (0017) of a driving means that drives a part (0010).

It would have been obvious to one having ordinary skill in the art to modify the invention of Gonyea, Deguchi, and Bazarnik to specifically indicate that the operation time be that of a driving means that drives said part, as taught by Makitani, because the invention of Gonyea, Deguchi, and Bazarnik does teach monitoring a semiconductor production facility and Makitani suggests that part driving means are critical components for correct operation of a semiconductor production facility (0002-0005) and therefore, the combination would have provided improved monitoring and maintenance of a

semiconductor facility by monitoring a wider variety of components including the crucial driving means.

Response to Arguments

11. Applicant's arguments with respect to claims 1, 3-11, and 13-18 have been considered but are moot in view of the new ground(s) of rejection.

The following arguments, however, are noted:

Applicant first argues the drawing objection indicating that Applicant is unaware of any statute that "requires Applicants to label any portion of Fig. 2 in manner other than the manner in which Applicants have already identified the exemplary elements depicted in Fig. 2"

The Examiner directs the applicant to 37 C.F.R. 1.84(n) and 1.84(o) which state, "Graphical drawing symbols may be used for conventional elements when appropriate" while "[o]ther symbols which are not universally recognized may be used, subject to approval by the Office" and that "[s]uitable descriptive legends may be used subject to approval by the Office, or may be required by the examiner where necessary for understanding of the drawing". Since the drawing in Figure 2 does not contain conventional elements, the Examiner may require descriptive legends for better understanding of the drawings. See MPEP 608.02.

Applicant then argues:

"The Gonyea et al. reference, however, does not disclose a part maintenance system including a factory-side system having at least one semiconductor processing system, and a vendor-side system operated by an administrator who manages maintenance of the semiconductor processing system. Rather the Gonyea et al. reference discloses a system and method of predicting a maintenance schedule and costs for performing future service events on a product formed from a plurality of components in order to predict the cost and price of a long term service agreement for the product. In short, the Gonyea et al. reference does not disclose a factory-side sending/receiving means at least because there is no vendor-side sending/receiving means to receive information from the factory-side sending/receiving means. Further, the Gonyea et al. reference does not disclose a maintenance judging means, which compares the actual operation time or the number of actual operations and the predetermined allowable limit value with each other to form a judgment of an operation state of the part, and which sends an order processing request of the part to the vendor-side system through a bidirectional network via the factory-side sending/receiving means in accordance with a result of the judgment. Rather, Gonyea et al. merely discloses predicting a maintenance schedule and costs for a length of a service agreement to obtain a complete schedule of future maintenance events and a total cost representative of fulfilling the service agreement for a product."

The Examiner first asserts that the invention of Gonyea is not included to teach a factory-side system having at least one semiconductor processing system and a vendor-side system operated by an administrator, since this feature is taught by the combination of Gonyea and Deguchi.

As cited in the previous Office Action, "As noted above, the invention of Gonyea teaches many of the features of the claimed invention and while the invention of Gonyea does teach a wide variety of processing systems as well as communication to and from a vendor, Gonyea does not specifically indicate that the system be a semiconductor processing system and that the vendor be part of a vendor-side system owned by an administrator who manages the maintenance of said semiconductor processing system

comprising a vendor-side sending/receiving means which sends and receives information to and from said factory-side system through a network."

The invention of Deguchi then teaches a semiconductor device manufacturing factory (column 1, lines 11-15) comprising a factory-side system (column 6, lines 10-45) and a vendor-side system owned by an administrator who manages the maintenance of said semiconductor processing system (column 6, lines 18-21) wherein the factory-side system and vendor-side systems each contain corresponding servers and sending/receiving means (column 6, lines 30-39 and 45-54) that send and receive information between each other through a bidirectional network (column 6, lines 54-65). Deguchi also teaches that the vendor-side system receives information from the factory-side system and uses such information to perform maintenance processing (column 6, lines 54-65).

The Examiner also maintains that Gonyea does disclose a maintenance judging means which compares said actual operation time or the number of actual operations and said allowable limit value with each other to judge an operation state of said part (0005, lines 14-21, "The scheduler determines the operating time for each sub-component based on the operating conditions for a predetermined time period and compares it to the design limit for the component. Once a design limit is exceeded for a sub-component, the scheduler then schedules a maintenance event to repair or replace the component and its related sub-components."), wherein said factory-side

system comprises a factory-side sending/receiving means (0015, lines 5-7 and 0017, lines 7, "A modem or network card 24 enables the local computer 10 to access other computers and resources on the network 13.") which sends an order processing request of said part to a vendor in accordance with a result of said judgment (0055, lines 1-13, "The system 28 then queries whether the part is available within the designated inventory pool (Step 144). If the part is not in the first predetermined inventory pool, the system then queries whether all inventory pools have been searched (Step 146). If so, the system then processes an order to buy the part into a predesignated inventory pool (Step 148). For example, in the service agreement, the customer may want any purchased parts to be entered into the customer inventory pool so that the customer has exclusive access to these parts. In such a case, for example, the cost of replacing the part will be higher because access to the inventory of parts is restricted to the one customer as opposed to being shared by many customers.")

Applicant then argues:

"Like the Gonyea et al. reference, the Deguchi et al. reference does not disclose a part maintenance system for a semiconductor processing system, including at least factory-side system including a maintenance judging means, which compares an actual operation time or a number of actual operations and a predetermined allowable limit value with each other to form a judgment of an operation state of the part, and which sends an order processing request of the part to a vendor-side system through a bidirectional network via a factory-side sending/receiving means in accordance with a result of the judgment, wherein when the maintenance judging means judges that the actual operation time or the number of actual operations reaches a first stage limit value level, the factory-side sending/receiving means sends an order

processing request of a replacement for the part to the vendor-side system through the bidirectional network, and when the actual operation time or the number of actual operations reaches a second stage limit value level, the factory-side system carries out a notice processing. Rather, in the Deguchi et al. system, a factory notifies a vendor via the Internet 105 of status information (e.g., the symptom of a manufacturing apparatus in trouble) representing the operation status of each manufacturing apparatus 106, and receives response information (e.g., information designating a remedy against the trouble, or remedy software or data) corresponding to the notification or maintenance information, such as the latest software or help information.

In short, the Deguchi et al. reference does not disclose a system in which the factories have a factory-side maintenance judging means, which compares an actual operation time or a number of actual operations and a predetermined allowable limit value with each other to form a judgment of an operation state of the part, and which sends an order processing request of the part to a vendor-side system through a bidirectional network via the factory-side sending/receiving means in accordance with a result of the judgment. Applicants claimed factory-side maintenance judging means may result in an advantage over prior art systems and methods, for example, because a factory operating a semiconductor processing system does not necessarily need to rely on information received from a vendor, for example, such that operation of a semiconductor processing system may be discontinued with a high degree of reliability even when, for example, a vendor is unable to communicate with the factory-side system due to a problem on with a vendor-side server such that processing cannot be executed in the vendor-side system.

For at least the above-outlined reasons, the Gonyea et al. and Deguchi et al. references, taken individually or in combination, do not disclose or suggest all of the subject matter recited in Applicants' amended, independent claim 1. Therefore, Applicants' amended, independent claim 1 is patentably distinguishable from those references."

The Examiner maintains that Deguchi teaches a semiconductor device manufacturing factory (column 1, lines 11-15) comprising a factory-side system (column 6, lines 10-45) and a vendor-side system owned by an administrator who manages the maintenance of said semiconductor processing system (column 6, lines 18-21) wherein the factory-side system and vendor-side systems each contain corresponding servers and

sending/receiving means (column 6, lines 30-39 and 45-54) that send and receive information between each other through a bidirectional network (column 6, lines 54-65). Deguchi also teaches that the vendor-side system receives information from the factory-side system and uses such information to perform maintenance processing (column 6, lines 54-65).

Also, since Gonyea teaches that the factory-side performs the maintenance scheduling operation rather than the vendor-side and Deguchi teaches remote maintenance by the vendor-side, the combination would have performed the maintenance scheduling operation of Gonyea at the vendor-side.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

U.S. Patent No. 4,097,202 to Price teaches an auxiliary compressor assembly wherein when a replacement part is not available, the assembly is adapted to be repaired to keep the device operational.

U.S. Patent No. 5,000,291 to Forster teaches a lubrication nozzle wherein when no replacement nozzle is available, the manufacturing operation is shut down to perform maintenance.

U.S. Patent No. 6,751,536 to Kipersztok et al. teaches a diagnostic system and method for enabling multistage decision optimization for aircraft

preflight dispatch including means for judging whether part replacement or repair should be made.

U.S. Patent Application Publication No. 2002/0161906 to Teraura teaches a method of flow management for recycled components, components supply-side terminal and components request-side terminal wherein when replacement components are not currently available from the manufacture, recycled components are used in repair work.

U.S. Patent Application Publication No. 2002/0072988 to Aram teaches a supply management system.

U.S. Patent No. 6,438,440 to Hayashi teaches a method and system for managing semiconductor manufacturing equipment.

U.S. Patent No. 6,311,093 to Brown teaches a system and method for simulation modeling and scheduling of equipment maintenance and calibration in biopharmaceutical batch process manufacturing facilities.

U.S. Patent Application Publication No. 2002/0139988 to Kato teaches a vibration isolator, device manufacturing apparatus and method, semiconductor manufacturing plant and method of maintaining device manufacturing apparatus.

U.S. Patent Application Publication No. 2003/0229550 to DiPrima et al. teaches a system and method for planning and ordering components for a configure-to-order manufacturing process.

FOLDOC, Free On-Line Dictionary of Computing provides the definition of server as "a computer which provides some service for other computers connected to it via a network".

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. West whose telephone number is (571)272-2226. The examiner can normally be reached on Monday through Friday, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc S. Hoff can be reached on (571)272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jrw
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